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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,237	06/24/2002	Christian Hogl	2043.184US1	8864
49845 7590 04/04/2007 SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH/EBAY P.O. BOX 2938 MINNEAPOLIS, MN 55402			EXAMINER HARBECK, TIMOTHY M	
			ART UNIT	PAPER NUMBER
			3692	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/018,237	Applicant(s) HOGL ET AL.	
	Examiner Timothy M. Harbeck	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Double Patenting

Claim 23 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly (US 5,877,482).

Re Claim 1: Reilly discloses a method comprising:

- Receiving financial account identifier information of a user at a code allocation unit (Column 2, lines 19-45)
- Generating an access code for the user, the access code being to identify the user to a business entity (Column 1, line 59- Column 2 line 18) and;
- From the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the access code, the access

code being reflected in an amount of value associated with the value transfer (Column 3 lines 1-28)

Reilly does not explicitly disclose wherein the access code is transmitted to the user together with a receipt for the value transfer. However Reilly does disclose that this process occurs at an electronic funds transfer (EFT) terminal (Column 4, lines 16-28). Official Notice is taken that it was well known in the art at the time of invention for an EFT terminal to produce a receipt of a transaction to a customer (such as at an ATM machine, or a business entity credit card machine), including information from which to identify the specific transaction, often referred to as a confirmation number. It would have been obvious to a person of ordinary skill in the art at the time of invention to include this step to the disclosure of Reilly so that a user of the method would have a record of the transaction that can be easily recalled should there be any issues or discrepancies with said transaction in the future (i.e. double charging, claims of non-payment ect.).

Re Claim 2: Reilly discloses the method of claim 1 and further discloses wherein the value transfer is a money withdrawal transaction (Column 1, lines 11-17; "debit financial transactions).

Re Claim 3: Reilly discloses the method of claim 1 and further discloses wherein the generated access code is equal to the amount of money associated with the value transfer (Column 3, lines 22-23)

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Re Claim 4: Reilly discloses the method of claim 1 and further discloses wherein the value transfer is a money deposit transaction (Column 1, lines 11-17; "credit financial transactions.")

Re Claim 5: Reilly discloses the method of claim 1 and further discloses wherein the effecting of the value transfer is by a remote data connection (Column 4, lines 15-28 and Fig 2)

Re Claim 6: Reilly discloses the method of claim 1 but does not explicitly disclose wherein the access code is to be transmitted to the user by one or more of a remote data connection and an account balance statement printer. However Reilly does disclose that this process occurs at an electronic funds transfer (EFT) terminal (Column 4, lines 16-28). Official Notice is taken that it was well known in the art at the time of invention for an EFT terminal to produce an account balance statement, via a printer, to a customer (such as at an ATM machine), including information from which to identify the specific transaction, often referred to as a confirmation number. It would have been obvious to a person of ordinary skill in the art at the time of invention to include this step to the disclosure of Reilly so that a user of the method would have a record of the transaction that can be easily recalled should there be any issues or discrepancies with said transaction in the future (i.e. double charging, claims of non-payment ect.)

Re Claim 7: Reilly discloses the method of claim 1 and further discloses wherein the remote data connection is a computer network (Column 4, lines 15-28 and Fig 2) or an automated telephone interface.

Re Claim 8: Reilly discloses the method of claim 1 and further discloses wherein the access code comprises at least two partial codes (Column 3, lines 9-28).

Reilly does not explicitly disclose wherein a first partial code is transmitted to the user together with the receipt for the value transfer and a second partial code from the at least two partial codes is to be transmitted by an alternative method to the user. However Reilly does disclose that this process occurs at an electronic funds transfer (EFT) terminal (Column 4, lines 16-28). Official Notice is taken that it was well known in the art at the time of invention for an EFT terminal to produce a receipt of a transaction to a customer (such as at an ATM machine, or a business entity credit card machine), including information from which to identify the specific transaction, often referred to as a confirmation number. It would have been obvious to a person of ordinary skill in the art at the time of invention to include this step to the disclosure of Reilly so that a user of the method would have a record of the transaction that can be easily recalled should there be any issues or discrepancies with said transaction in the future (i.e. double charging, claims of non-payment ect.).

Furthermore, Reilly discloses the use of a variety of partial codes in order to encrypt and protect identifying information during a transaction (Column 4, lines 29-Column 5 line 35). This is done in order to alleviate existing problems with storing complete identification records in one transmission (Column 1, lines 25-32). Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention to transmit any partial access codes or confirmation numbers separately in order to limit the risk of being obtained in whole by a third party.

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Re Claim 9: Reilly discloses the claimed method 1 and further discloses receiving the identification data of the user at the code allocation unit (Column 2, lines 19-45).

Re Claim 10: Reilly discloses the claimed method 1 and further discloses wherein the financial account identifier information comprises at least one of a group including:

- Data associated with a credit card number of the user (Column 4, lines 44-50; "card data")

Re Claim 11: Reilly discloses the claimed method 1 but does not explicitly disclose receiving the receipt for the value transfer at the allocation unit. However as was discussed in claim 1, the process of Reilly occurs at an electronic funds transfer (EFT) terminal (Column 4, lines 16-28). Official Notice is taken that it was well known in the art at the time of invention for an EFT terminal to produce a receipt of a transaction to a customer (such as at an ATM machine, or a business entity credit card machine). It would have been obvious to a person of ordinary skill in the art at the time of invention to include this step to the disclosure of Reilly so that a user of the method would have a record of the transaction that can be easily recalled should there be any issues or discrepancies with said transaction in the future (i.e. double charging, claims of non-payment ect.)

Re Claims 12-22: Further machine-readable medium claims would have been obvious in order to implement the previously rejected method claims 1-11 respectively and are therefore rejected using the same art and rationale.

Re Claims 23 Reilly discloses a method comprising:

- Receiving financial account identifier information of a user at a code allocation unit (Column 2, lines 19-45)
- From the code allocation unit effecting a money transfer transaction utilizing the financial account identifier information (Column 3, lines 1-28);
- Generating an access coded for the user utilizing an amount of money associated with the money transfer transaction, the access code being to identify the user to a business entity (Column 1 line 59- Column 2 line 18; and Column 3, lines 1-28); and

Reilly does not explicitly disclose wherein the access code is transmitted to the user together with a receipt for the value transfer. However Reilly does disclose that this process occurs at an electronic funds transfer (EFT) terminal (Column 4, lines 16-28). Official Notice is taken that it was well known in the art at the time of invention for an EFT terminal to produce a receipt of a transaction to a customer (such as at an ATM machine, or a business entity credit card machine), including information from which to identify the specific transaction, often referred to as a confirmation number. It would have been obvious to a person of ordinary skill in the art at the time of invention to include this step to the disclosure of Reilly so that a user of the method would have a record of the transaction that can be easily recalled should there be any issues or discrepancies with said transaction in the future (i.e. double charging, claims of non-payment ect.)

Re Claim 24: Further system claims would have been obvious to perform the previously rejected method claims 1 and 23 and is therefore rejected using the same art and rationale.

Response to Arguments

Applicant's arguments filed 01/05/2007 have been fully considered but they are not persuasive.

Applicant's sole argument is that Reilly does not disclose or suggest the access code 'being used to identify the user to a business entity' and 'being reflected in an amount of value associated with the value transfer.'

However, as previously cited by the Examiner in the last Office Action, it appears Reilly directly addresses these limitations. Right in the abstract Reilly notes that "The encoded Card Key (CK) which is stored in an encoded form within the track discretionary data is used as the basis of a key to first encrypt the PIN. The Card Key is combined with transaction variables such as an amount of the transaction to produce a unique PIN key for the transaction." (Abstract). It thus appears that Reilly satisfies the limitation in question because the PIN is 'being used to identify the user to a business entity' and 'being reflected in an amount of value associated with the value transfer,' as required.

This appears to be the only argument with regards to the prior art teachings and therefore the previous grounds of rejection is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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SUPERVISORY PATENT EXAMINER